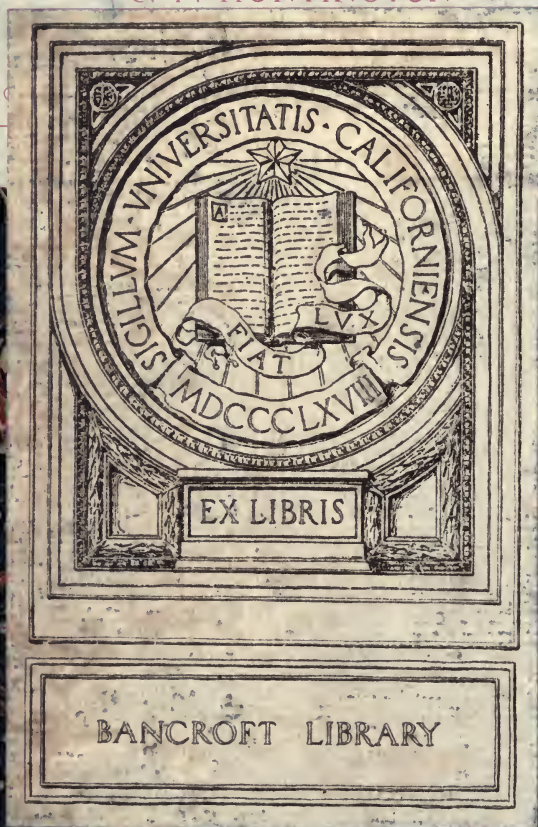


THE ROBERT E. COWAN COLLECTION
PRESENTED TO THE
UNIVERSITY OF CALIFORNIA
BY
C. P. HUNTINGTON





31
A Human Fraud.

U. S. SENATOR

CORNELIUS COLE,

Of California,

R E V I E W E D .



NEW YORK :
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P R E F A C E .

In these pages, for the benefit of those who are not thoroughly acquainted with the leading characteristics of Cornelius Cole, United States Senator from California, we make publication, not as politicians, but as members of the Republican party, of certain facts, as a warning to those who innocently put faith or confidence in him, that he is wholly unworthy of their esteem, and entirely unfit for their countenance.

MANY CITIZENS.

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A HUMAN FRAUD.

U. S. SENATOR CORNELIUS COLE, OF CALIFORNIA, REVIEWED.

"I judge him as I judge other men, by what they do; and I judge the Commissioner in the same way. I do not care who he may be or what his reputation may be; his actions are the criterion by which to determine whether he has acted properly or not."—
[Extract from speech of Cornelius Cole, in the Senate of the United States, January 14, 1870.]

As the Senator from California has seen fit to throw the gauntlet down, we propose to take it up, not with a reckless purpose of bravado, but in sober earnest to judge Cornelius Cole by the standard which he himself sets up as his medium of passing judgment upon others—by his actions. We might hunt up the musty pages of his earlier history, and perchance find a rusty peg or so upon which to hang an argument of how obscurity can be brought into the light of day, and when so brought, to change places, deeming the light of day obscurity, so doth vaulting ambition o'erleap itself. But neither time nor our inclination will permit such a research, and therefore we will simply claim Cornelius Cole for our

subject of review, from that period when the representatives of the people, in Legislature assembled, disgraced the State of California, by inflicting his presence upon the Senate of the United States, by electing him to a seat in that body. Let us stop for a moment and glance at his career from the time he was nominated in caucus for the high position which he unfortunately occupies, and contrast it with his *entree* into that chamber where the great intellectual lights of the Nation—dead and living have shone with brilliancy and glory. Tremblingly he came before the caucus which nominated him ; confused in his utterances, modest and downcast in his looks ; fearful yet willing, he stumbled through a few commonplace sentences, and so far as that power could make him so, before which he bowed in such humble meekness, a very living representative of Uriah Heep, who was “so very ‘umble,” he was a Senator of the United States.

As an illustration : He went to Washington, with his blushing honors thick upon him, and was sworn into office, for instance to-day. Was he overwhelmed with the greatness of the honor, the sublimity of the position he occupied, as a Senator of a sovereign State ; or awed at the weight of the responsibility which he had incurred ? Did he commune with himself and mentally declare and resolve that he would faithfully, honestly serve his constituency, without any regard to self-aggrandizement, but with an eye single to their interests ? Did he resolve to bide his time in commencing his Legislative duties, and closely watching and studying the bearing and demeanor of older Senators, become more proficient in the higher walks of parliamentary action ? We answer, to all this, emphatically in the negative ; but, on the contrary, before he had been a Senator fully twenty-four hours, he introduced a resolution into the Senate, which practically wrested from the Government, without equivalent, a block of land in San Francisco, which he designed for the use and benefit of his own relatives, and in the profits of which he was to be a participant. *We are to judge him, therefore, as he judges other men : by what he did in this particular.* Upon this same land, which Cornelius Cole desired to grasp from the Government and give to his own relatives—gratis—two hundred and twenty of the leading business firms of San Francisco have petitioned the General Government to erect a building for the accommodation of the civil, judicial and military departments now scattered throughout the city, thus saving an annual rental of seventy thousand dollars in gold.

Now, let us take a glance at the recreant Senator in another light, that of a man boldly and unblushingly attempting by lying, hypocrisy and deceit, to defraud another out of property, to which he (Cole) had no shadow of right. We refer to the attempt of the Senator to rob Alfred C. Loud of his right and interest in a patent for an improvement to propellers. Loud was the original inventor, and, deeming a patent for the improvement would be valuable, proceeded to Washington, armed with letters of introduction to Senator Cole. The latter became interested in the invention and personally introduced Loud to the Commissioner of Patents, and hastened the issuance of the patent in every way possible. Being procured, Loud made ready to proceed to New York, to put his improvement into effect. Cole *insisted* upon accompanying Loud to New York, offering as an inducement that his position as a Senator of the United States would give him (Loud) an *entree* to all the capitalists, wealthy men, and leading steamboat men of New York. Loud reluctantly consented, and finally took Cole along with him. They put up at the Fifth Avenue Hotel. Loud desired to recompense Cole for the trouble he had taken in the matter, and offered him an amount equivalent thereto. Cole magnanimously declined ; was only too glad to serve one of his constituents, and particularly one who had shown such inventive and mechanical skill as Mr. Loud. Finally, however, the Senator overcame his scruples, and entered into an agreement with Loud to accept a quarter interest in the patent, he (Cole) to expend a certain amount of money in bringing it to perfection, as well as Loud. The latter asked Cole if he desired any writings in conclusion of the partnership. Cole did not think it necessary. Loud did ; and, at Cole's request, he wrote him (Cole) a letter, offering the quarter interest, and in return, Cole wrote a letter accepting. Loud being compelled to return to California, Cole immediately laid his plans to rob Loud of his patent ; which fact coming to the knowledge of Loud, he, after a stop of five days in California, left for the East, and, to the astonishment of his fraudulent partner (Cole), he appeared in Washington. In the attempt made by Loud to re-posess himself of what Cole had attempted to rob him of, Cole testified under the solemnity of an oath, "THAT HE HAD NO INTEREST IN THE PATENT WHATEVER ; THAT HE ONLY REMAINED IN NEW YORK ONE OR TWO DAYS WITH MR. LOUD, INSTEAD OF A MONTH." In this, he (Cole) was guilty of *wilful and deliberate perjury*, as the letter written by

Loud to Cole, offering him an interest in the patent, and Cole's letter accepting the same, and other letters and dispatches, are on file in the proper office at Washington taking cognizance of the matter; and any gentleman desiring to assure himself on the subject need only to step to the Patent Office, and see how far we are borne out in the charge we make against Cole of WILFUL AND DELIBERATE PERJURY—which perjury he committed, supposing that all his papers and dispatches to Loud had been destroyed; but these very letters and dispatches, being put on file by Loud, as we have before stated, show that they contain statements directly antagonistic to the testimony sworn to by him. In addition to which, he made solemn oath that he was inventor of the paddle-wheel improvement, when he had already assisted to secure a patent for Mr. Loud, for an improvement upon the same principle. *We judge him, therefore, as he judges other men: by what he did in this particular.* He is still fighting for this patent, and is prostituting his power, as a United States Senator, to gain possession of Mr. Loud's property, to secure a reward of fifty thousand dollars which he has been promised, if he deprives Loud of his claim to the invention, and throws it into the hands of wealthy men in New York. And yet this man, when he stealthily visited California last fall, took every precaution to impress upon the minds of the community, and particularly Loud's friends, that he had no interest in the patent, did not desire any, and would do all in his power to secure and retain it for Loud. His persistency and animosity in the contest shows how truthful a man Cornelius Cole is.

Let us ring up the curtain again and present this begrimed and degraded Senator in a spiritual light. Let us look at him, not through a glass darkly, but as through a barrel of whisky, seized for a pretended violation of the Revenue Law, sweetly. Let us look at him in the attitude, on the floor of the United States Senate, as the *paid* advocate of the whisky sharps of the Internal Revenue Department of San Francisco. Let us look at him, as he tears the Senatorial *toga* from his shoulders, tramples it into the whisky barrel, and casting off all restraint, throws the dirt and sediment of the still over all those who dare to support the right against the wrong of the Senator. Let us look at him, as he endeavors to save the informer a per centage, in which he (Cole) is interested, and then say if he is not a model of a Senator. Let us listen to him, as he charges that Samuel

Purdy was sent to California, under Johnson's administration, to make up charges against faithful officers there, who did not agree with that administration, when it is a fact patent to all those who know anything at all about the matter, that Samuel Purdy was sent to California on his mission of investigation, by and with the advice and consent of Senator Cornelius Cole. *We judge him, therefore, as he judges other men : by what he did in these particulars.* Let us listen to him, as he pleads in a strain that would do unbounded credit to the meanest Tombs shyster, for those Revenue officers in San Francisco who have at all times and on all occasions supplied his wants, even to the extent of thousands, to aid counsel in a murder case at Albany ; or, to speak plainer, it is reported and believed that ten thousand dollars was forwarded to Cole by Lucien Curtis, to pay the counsel of Cole's brother, who murdered Hiscock in Albany. Hear him plead for those who offered to make the office of Collector pay *twenty-four thousand dollars per annum*, when the salary was only four thousand, and the amount so offered to be over and above the amount of salary named. Let us listen to his tirade against Commissioner Delano—as honest and upright a man as ever held public position—and tell us in how much the State of California is dignified by Cole's presence in the Senate. Was he not sent there, as George Seacoal was made constable, being the most disheartless, senseless and fit man for the position ; no other reason could have actuated those who did so send him. *We judge him, therefore, as he judges other men : by what he does.*

Says Cole, in his celebrated whisky speech, delivered in the Senate, January 14th, 1870 :

“Millions of dollars have been made by sending untaxed whisky to California, and the business must not be interrupted. The Government has been defrauded out of these millions, and this cheating must be continued. To accomplish these ends the whisky thieves, the defrauders of Government, must have the selection of their own agents to fill the offices in California : and before the death of the late lamented Collector Rawlins—as honest a man as his most excellent brother, the late Secretary of War—it was determined by Fulton and Cowan to remove him and put in his place one who could more easily be handled for their interests.”

Cornelius Cole knew when he made that statement, he gave utterance to that which he knew to be false, because he

was well informed of the fact that, instead of Rawlins being removed and any one else put in his place, that long before Cowan and Fulton came to San Francisco, it was determined that Rawlins should resign; that ten thousand dollars was to be given him to invest in a Sugar Refinery; and that through Cole's influence, his mentor, his *fides achates*, his bosom friend, and as many say, and as a great many believe, his *partner*, Lucien Curtis, was to succeed him. The first act was fully carried out. The ten thousand dollars was given to Rawlins. He *did* invest in a Sugar Refinery, and there he met his death, and the curtain never went up on the second act, as Cole's play turned into a tragedy.

This defense by Cole of the Whisky Ring in San Francisco was not made gratuitously, as a certain Notary Public of that city procured the greenbacks wherewith to lubricate that gentleman. The Notary Public in question procured the greenbacks at the Bank of California, made a feint to take them to his own office, then circuitously placed them in possession of Lucien Curtis's son, who placed them in charge of a special messenger, who conveyed them to Washington. This was done as set forth to prevent discovery, as when Curtis sent a draft of ten thousand dollars to Cole, in order to secure the release of his brother who was on trial for murder, the circumstance became known.

There are ugly statements in regard to the opposition of Senator Cole to the confirmation of George Oulton for Collector of Revenue. This gentleman was the predecessor of the present incumbent as Controller of the State of California, and no man who ever held the position up to that time was so successful in the discharge of its duties as Mr. Oulton. He perfected a system of book-keeping in connection with his office which has never been excelled, and the style, neatness, and correctness of their detail received the highest encomiums of all who had the good fortune to inspect them. As State Senator representing Siskiyou county, as State Controller, and in fact in every position he has held in California, he has always maintained the reputation of being a high minded, honorable, and upright man, honest and as true as the sun. These very qualifications and attributes, however, are the stumbling blocks to Cole's favor. Cornelius Cole, United States Senator from California, *does not wish an honest man in the position of Collector of the Internal Revenue at San Francisco*. If such a man were chosen, Cole would be ousted from his seat in the Senate, which he has disgraced ever

since his *entree* there. And why? By a technicality in the law, a Deputy or Acting Collector cannot be removed or suspended by either the Commissioner or Supervisor of Revenue of the district where such officers are located. This Cole is well aware of; therefore he endeavors to beat Oulton—not to name another in his stead, but for the purpose of allowing the office to be run as it is now run, and as it *always* has been run, by Cole's partner, Lucien Curtis. Cole does not wish a Collector appointed under any circumstances. And why? Because the moment such a one is selected, Supervisor Fulton will turn over to him information, testimony, facts, and charges, that upon investigation by a Collector would damn Cole, Curtis, and their pals to all eternity. Such an inquiry cannot be instituted nor carried on by any other official than a Collector, and hence it is, as we have already said, that Cole does not desire the appointment of a Collector, unless he be a dishonest knave or a pliable individual he can mould to his own purposes. We charge boldly that Cole's connection with Lucien Curtis in the management of the Internal Revenue collections on this coast will not bear investigation; that it has been infamously corrupt and dishonest, and we want no better proof of it than the fact that Curtis has not dared to deny or contradict a single charge made against him by Cowan and Fulton in the report made by them to the proper authorities at Washington. Let us ask why Cole opposes Coey so bitterly for the Post Office of San Francisco—Coey, who fought so honorably and bravely through the war? The question is easily answered. Because Coey, when he was appointed Collector of Internal Revenue, believing Lucien Curtis to be a dishonest man, removed him as Deputy Collector. This encompassed Coey's downfall. He held the position two days—just long enough to prevent Curtis from becoming Acting Collector, Witbeck outranking him in date of commission. Had Curtis not been removed by Coey, when Rawlins died, Curtis would have been Acting Collector, and Cole never would have named, or sought to name, another man for the position of Collector.

Cole said in his speech that whisky had been coming into San Francisco fraudulently for the last seven years. Such being the case, *what* was Lucien Curtis (who was running the machine) doing all that time to suppress the introduction of illicit whisky? Was he so busily engaged in running a distillery of his *own*, in which Cole was a *bona fide* partner, that he could not find time to pay attention to such matters?

Let a Collector who is not a knave or a scoundrel be appointed, and we think that the facts will show that Curtis himself has had a distillery of his own in operation for years. Cole is the last man in the world who desires these matters ventilated, and if he can prevent inquiry by the free use of his Senatorial power, he will do so to the best of his ability.

Let us ask why Cole suspended his fight against Gorham, the present Secretary of the United States Senate? We will answer: On account of his (Cole's) vulnerability, and from abject fear. It is well known in San Francisco that when Gorham was there last fall, in the reading room of the Occidental Hotel, he denounced Cole in most unmeasured and vindictive terms, applying such opprobrious and obscene epithets to the Senator that Governor Low, and other friends of Gorham who were present, remonstrated with him. This still more excited the ire and indignation of the Secretary of the Senate, and he again repeated, with more vehemence and amplification, that which he had already given utterance to; and when told that Cole would seek his removal from the Secretaryship of the Senate for his action, replied by snapping his fingers and saying that he had the "deadwood" on the Senator, and that it would be more than his (Cole's) seat was worth in the Senate for him to raise his finger against him (Gorham). Cole *did* make a show while there to procure evidence in regard to the matter, threatening to make a bitter fight against Gorham; but when he reached Washington, his anti-Gorham courage oozed out at the ends of his fingers, and he never piped a note, because George Gorham had the "deadwood" on him.

A more marketable article of "Cole" has seldom been in Washington than Cornelius; every one who has any dealings with him are loud in proclaiming that, however valuable he may be in the estimation of those who do not know him, he is by no means "priceless." We might go on and present an array of facts sufficient to occupy the attention of the reader to an indefinite period, by a recital of Cole's corrupt practices simply during his incumbency as a United States Senator, but we have more sympathy for the ills that flesh is already heir to, in the infliction of his presence at the seat of Government, to add to them by a further recital of his infamy and knavishness. He is a Senator without a party; a man without an honorable impulse; a Legislator wholly legislating for his own personal aggrandizement; a friend only of circumstances—or, in other words, when a friendship

can be turned into a sure and pecuniary channel to himself. Raised from obscurity, he brings to his place all the aroma of obscurity ; Jean Valjean, when he perambulated the sewers of Paris, was no more obscure than Cole, and fitter to be a Senator, because he was possessed of warm impulses, and was not actuated by the fishlike qualities of Cole.

But here let us part with our subject of review. Let him float along on the tide of his corruption, until Public Opinion drowns him in his degradation, or let him live on, an example to be shunned.

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